

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

ARANDLE WILLIAMS,

Defendant-Appellant.

UNPUBLISHED

April 9, 2002

No. 235902

Wayne Circuit Court

LC No. 89-002715-01

Before: K.F. Kelly, P.J. and Doctoroff and Cavanagh, JJ.

MEMORANDUM.

Defendant appeals as of right his sentence of one to twenty years in prison for probation violation following his plea-based conviction of possession with intent to deliver less than fifty grams of cocaine, MCL 333.7401(2)(a)(iv). We affirm. This case is being decided without oral arguments pursuant to MCR 7.214(E).

In 1993 defendant pleaded guilty of possession with intent to deliver less than fifty grams of cocaine, and was sentenced to lifetime probation. In November 2000 defendant pleaded guilty to violating his probation by failing to report. At sentencing, the trial court noted that defendant had a longstanding substance abuse problem, and that actions he took as a result of his addiction had resulted in several violations of his probation. In response to inquiries from the court, defendant detailed his unsuccessful efforts to address his addiction. Prior to imposing sentence, the court asked if defendant had anything further to say. Defendant requested another chance to straighten out his life. The court sentenced defendant to one to twenty years in prison, stating that it had eliminated all other viable options.

On appeal, defendant argues that he is entitled to resentencing because the trial court failed to afford him the right to engage in meaningful allocution. Specifically, defendant contends that had he been offered the opportunity to fully allocute, he may have been able to advise the court of circumstances that would have warranted the imposition of a lesser sentence. We disagree and affirm defendant's sentence.

A criminal defendant has a right of allocution before the court imposes sentence. The court must give the defendant a reasonable opportunity to advise it of any circumstances that the defendant believes should be considered. MCR 6.425(D)(2)(c). The right of allocution must be strictly enforced. *People v Wells*, 238 Mich App 383, 392; 605 NW2d 374 (1999). An examination of the sentence transcript reveals that the court engaged in a colloquy with

defendant concerning defendant's addiction and his efforts to treat that addiction. In addition, before imposing sentence, the court spoke directly to defendant and asked him if he had anything further to say. The court gave defendant a timely and ample opportunity to advise it of any facts or circumstances defendant deemed relevant. No error occurred. MCR 6.425(D)(2)(c); *Wells, supra*.

Affirmed.

/s/ Kirsten Frank Kelly

/s/ Martin M. Doctoroff

/s/ Mark J. Cavanagh